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## A State Police

Dicta Editorial Board

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## A STATE POLICE

(President Arnold of the Denver Bar Association submits his views to Prof. James Chadbourn of the University of North Carolina.)

Prof. James Chadbourn, February 23, 1934.  
Assistant Professor of Law,  
University of North Carolina, Chapel Hill, N. C.

"Dear Professor Chadbourn: I have just finished a careful reading of your valuable article in the February number of the American Bar Association Journal, on 'Lynching and the Law,' and would like to submit to you two suggestions in connection with that subject:

"1. After considerable reflection, I believe that one of the most potent methods for ridding a state of the lynching evil would, and eventually will, be the establishment of a force of well-trained and highly efficient state police.

"As you may recall, the Wickersham Commission concluded that the reasons and arguments in favor of such forces in the respective states are 'unanswerable.' An interesting article on the subject appears in the February 17 number of the Saturday Evening Post, entitled, 'The Twilight of the Sheriff.'

"2. In your article, in considering the use of troops, you inquire, 'Should the military commander or the local sheriff be in charge?' and then answer the question correctly by saying, 'These cases seem to demonstrate the need of placing complete authority in the hands of the military.' I think a vast amount of mischief and confusion would be eliminated, and numerous lynchings avoided, if governors and national guard officers thoroughly understood the constitutional principle of martial law that makes it wholly unsound and anomalous ever to put a military force under the control of any peace officer, or of any civil officer (except, of course, the governor, who is its commander-in-chief).

"If so inclined, you might be interested in referring to an article on martial law in the September, 1929, number of the American Bar Association Journal, where I try to clarify this point.

"State police forces not only impart some much-needed energy to our state governments, but make the constant use of troops on such duty unnecessary.

"Am trespassing upon your time with these suggestions, because I think all ideas on this subject should be considered; and no doubt your own efforts will have much influence in aiding the country to stamp out this savage evil of lynching."